§ 44-0107. Powers and duties of the council.

The council shall have the power:

1. To make by-laws for the management and regulation of its affairs.

2. To make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this article.

3. To appoint an executive officer, officers, agents and employees, and prescribe their duties and qualifications and fix their compensation.

4. To utilize, to the extent feasible, the staff and facilities of existing state agencies, pursuant to an allocation to be made by the state division of the budget.

5. To contract for professional and technical assistance and advice.

6. To contract for and to accept assistance, including but not limited to gifts, grants, or loans of funds or personal property from the federal government or any agency or instrumentality thereof, or from any agency or instrumentality of the state, or from any other public or private source and to comply, subject to the provisions of this article, with the terms and conditions thereof. Notwithstanding the provision of section eleven of the state finance law, the council may accept gifts, grants, devises and bequests, whether conditional or unconditional providing that any gifts, grants, devises and bequests be consistent with greenway criteria.

7. To conduct scientific, environmental, economic, tourism and cultural studies within the valley that are germane to the greenway criteria.

8. To annually review and update the recommendations of the governor's council on the Hudson river valley and prepare objectives to advance

each of the five greenway criteria: natural and cultural resources protection, regional planning, economic development including agriculture and urban redevelopment, public access and heritage education.

9. To review and comment as an interested agency during the environmental review process pursuant to article eight of this chapter on proposed actions within the greenway, and upon the filing of a draft environmental impact statement for any such action to require the lead agency to conduct a hearing under article eight of this chapter.

10. To review and comment on capital and long range plans of state agencies as they affect the criteria, objectives and plans of the greenway.

11. To review and comment on actions pursuant to section seventy-five of the public lands law within the greenway for their consistency with the public's right and interest in land under water for the purposes of navigation and commerce, fishing, bathing, natural resource conservation, recreation and access to the waters and lands underwater of the state.

12. To review and comment upon the annual work plan submitted by the conservancy.

13. To jointly designate and develop in agreement with the conservancy model greenway projects to demonstrate the implementation of greenway planning and make contracts for assistance to municipalities and nonprofit entities within the greenway therefor.

14. To designate multi-county planning districts or subregions based on environmental, economic and social factors linking counties, cities, towns and villages and the recommendations of municipal officials from such counties and their political subdivisions for the purpose of development of the greenway compact, provided that the areas of Bronx and New York counties designated pursuant to section 44-0109 of this article shall be deemed to be a multi-county planning district and

region and shall not be linked with any other county, city, town or village in a multi-county planning district or region.

15. To make recommendations on expanding the geographical area of the greenway to include Washington county and the remainder of Saratoga county.

16. To encourage individuals, corporations, associations and public entities to protect and preserve the unique resources of the greenway and make grants to municipalities and nonprofit entities within the greenway therefor.

17. To make available or to cause to make available dispute resolution services for conflicts over land use regulation between units of government and/or between interests including development, conservation and neighborhood interests upon request of all parties in dispute.

18. To organize and meet with a committee of county planners within the greenway regarding regional projects and the provision of planning services.

19. To prepare an annual report on the conduct of its activities which shall include a recommended budget for the next year to be sent to the governor and the legislature.

20. To exercise and perform such other powers and duties as shall have been or may be from time to time conferred by law.

21. To utilize the staff and facilities of existing local agencies to the extent that local agencies make them available.

22. To take any actions necessary to carry out the functions, powers and duties imposed by this article.

23. To purchase the maximum insurance coverage practicable and affordable from revenues in the fund, to be effective upon the adoption by a community of a regional plan, from any duly authorized insurer in

this state, against any liability of any participating community or its agents that may result from its acquisition of land, consistent with its regional plan, or the adoption or implementation of any land use control including, but not limited to, a zoning law or ordinance; provided, however, such insurance shall not apply to any such claim that results from the intentional wrongdoing, recklessness, gross negligence or an unlawful discriminatory practice as provided in subdivisions two, two-a, three-b, four, paragraphs (a) and (b) of subdivision five and subdivisions six, seven, fourteen and eighteen of section two hundred ninety-six of the executive law and 42 U.S.C. § § 1981, 1983 by such community or its agents. Except with respect to New York city, the council shall purchase such insurance and begin coverage upon the adoption by a community of a regional plan, and maintain such insurance for all participating communities. Nothing herein shall require the council to purchase or provide coverage for New York city.